

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

June 23, 2003
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, Mosher, and Noble

ABSENT: None.

1. Executive Session

Deputy Mayor Degginger opened the meeting at 6:00 p.m. and announced recess to Executive Session for approximately one hour to discuss one item of property disposition, two items of potential litigation, and one item involving negotiations over the performance of publicly bid contracts.

The Study Session resumed at 7:25 p.m. with Mayor Marshall presiding.

2. Oral Communications

Mayor Marshall explained that two vendors under consideration for the City's solid waste services contract would like to speak to Council this evening. Council rules typically allow three minutes for oral communications, or five minutes if representing the official position of a recognized organization. Mrs. Marshall announced that representatives of the solid waste service providers will be allowed to speak for five minutes each this evening.

- (a) Janet Garrow, King County District Court Judge, acknowledged Council's interest in discussions about the District Court contract for municipal court services. She reviewed changes in Bellevue's District Court over the past 23 years including action to become a unified district court in the 1980s. She feels the consolidation of services has resulted in economies of scale during the past decade. Judge Garrow said King County District Court is interested in continuing to provide services for the City of Bellevue .
- (b) Mike Salva explained that his neighbor recently set up a ham radio antenna approximately 55 feet high in his backyard. He said the antenna is interfering with his television and cell phone reception and damaging his property value. He was told by City staff there are no regulations specifically addressing ham radio antennas. Mr. Salva requested Council's help in mitigating these neighborhood impacts.

Mayor Marshall asked the City Manager to look into the matter.

- (c) Jerry Hardebeck, Waste Management, said he is proud of the package provided by his company to the City, which represents potential cost savings to taxpayers of approximately \$2.7 million per year over the 10-year contract. He noted Waste Management's bid is \$750,000 less per year than its competitor. However, he agreed with Mayor Marshall's comment from a previous Council meeting that the decision should not be based solely on cost. Mr. Hardebeck explained that Bellevue's criteria for ranking proposals assigned 65 of 100 points to price. Although he feels this gives the incumbent contractor an advantage in the ranking process, Mr. Hardebeck said Waste Management ended up as the top-ranked contractor. He noted two previous unsuccessful attempts to secure contracts with the City of Bellevue. He said Waste Management's proposal reflects its best and final offer. Mr. Hardebeck emphasized that Waste Management would like the opportunity to work with the City.

Mayor Marshall indicated a problem with the timer, allowing Mr. Hardebeck to speak for approximately eight minutes. In the interest of fairness, the second vendor will be allowed eight minutes for oral communications with Council.

- (d) Nels Johnson, Rabanco Companies, noted Rabanco employees in the audience to support the company's bid for a contract renewal with the City. He explained that Rabanco's contract represents savings of \$2 million per year as well as enhanced services. Mr. Johnson noted previous Council direction to make vendor selection a proposal process rather than a low bid process. He said Rabanco's services are consistently rated the highest of all of the City's utilities in surveys of residents. Mr. Johnson reviewed the company's 50-year history of service and quality and distributed a handout to Council. He noted the potential service problems and labor issues that could result from a change in vendor. Referring to the City's rating system, Mr. Johnson said there is a three point difference between rankings of the two vendors. He feels any ranking system is somewhat subjective. Rabanco's proposal provides lower rates for residential customers, which affects a greater number of people than the competitor's lower commercial rates. Mr. Johnson reviewed two innovative proposals: 1) a disposal option to save the City \$1 million annually, and 2) a recycling guarantee to divert approximately 10,000 tons of material to recycling instead of the landfill. He emphasized that choosing Rabanco will enable the City to avoid issues and potential risks associated with a change in vendor. Mr. Johnson said Rabanco values its partnership with the City and appreciates the difficult decision before the Council.

3. Study Session

- (a) Council New Initiatives

Mr. Noble noted a new publication on human services included in a transmittal to Councilmembers.

- (b) City Manager's Report

City Manager Steve Sarkozy introduced Leslie Lloyd, Bellevue Downtown Association, to provide an update on Bellevue's Family 4th Celebration in Downtown Park. Ms. Lloyd thanked major sponsors of the event including Bellevue 50Fest Committee, Overlake Hospital Medical Center, GLY Construction, Puget Sound Energy, Bellevue Square, Schnitzer Northwest, and the City. Family entertainment begins at 6:00 p.m. and highlights include a ceremony to honor Bellevue's 50th birthday featuring Chinese Lion Dancers at 9:15 p.m., Bellevue Philharmonic at 9:45 p.m., and a fireworks and laser light display at 10:30 p.m. Media sponsors for the event are The Seattle Times, Q13 Fox, WB22, KISS 106.1, and 96.5.

- (c) Purchase and Sale Agreement and Lease Agreement for City Hall Campus
(Staff requests Council concurrence to proceed to public hearing on June 30 and Council action scheduled for July 28, 2003.)

Planning and Community Development Director Matt Terry provided a briefing on the purchase and sale agreement for the current City Hall property. He recalled that Council authorized a brokerage contract in April with Pacific Real Estate Partners to pursue the sale of the City Hall site. The property was marketed and the City requested letters of intent from interested buyers on April 25. Three proposals were received and Michael O'Brien, owner of Bellevue's Lexus dealership, was selected as the potential buyer. A letter of intent was executed with Mr. O'Brien on May 12, 2003.

Mr. Terry referenced page 3-3 of the Council packet for a list of key points in the purchase and sale agreement. The purchase price is \$24,691,510. An earnest money deposit of \$500,000 will be deposited in escrow upon Council's approval of the agreement. A buyer feasibility period through June 27, 2003, provided time for the buyer to fully evaluate the property. The buyer notified City staff today that he has decided to waive the feasibility period and it is now up to Council to decide whether to proceed with the transaction. If approved, the sale will close on December 31, 2003.

Mr. Terry explained that the sale is contingent upon the City permitting automobile sales on the property through a Comprehensive Plan amendment and Land Use Code amendment. The agreement does not obligate the City to approve the changes, but failure to do so by the City will terminate the agreement. The agreement is also contingent upon the City's completion of a required review under the State Environmental Policy Act (SEPA). The agreement obligates the buyer to lease the premises to the City until March 31, 2006, with the option to extend the lease. The lease agreement requires the City to pay rent in the amount of \$154,322 per month. An early termination clause provides that the City can vacate the entire premises or any building early, and in doing so, eliminate or reduce the obligation to pay rent under the lease. Additional terms and conditions address items of interest to the buyer and the City.

Under the current plan, net proceeds to the City for the transaction are \$20,023,000. Proceeds from the sale will be used to help pay acquisition and improvement costs for the new City building, as outlined in that project's Finance Plan. Mr. Terry noted the potential for savings in leasing costs if the City can accomplish the move to the new building early. An open house to provide information on the new City building and the sale of City Hall is scheduled for June 25.

Public hearings are scheduled for June 30 and July 14, and Council action on the new building and the sale of City Hall is scheduled for July 28.

Councilmember Noble noted that Council has had the opportunity to discuss the purchase and sale agreement in Executive Session.

- ☛ Deputy Mayor Degginger moved to proceed with public hearings and the scheduled work plan toward Council action on the Purchase and Sale Agreement and Lease Agreement on July 28, 2003. Mr. Lee seconded the motion.
- ☛ The motion to proceed with public hearings and the scheduled work plan toward Council action on the Purchase and Sale Agreement and Lease Agreement on July 28, 2003, carried by a vote of 7-0.

(d) Finance/Human Resources System Replacement Project

Mr. Sarkozy asked staff to provide an update on the Finance/Human Resources System Replacement project. Toni Cramer, Chief Information Officer, recalled that last week Council received copies of the negotiated contract with AMX International to purchase JD Edwards' finance/human resources software. She noted PeopleSoft's recent acquisition of JD Edwards and the subsequent attempt at a hostile takeover of PeopleSoft by Oracle. The outcome of these potential mergers is unknown and the City's options are limited.

Ms. Cramer said staff recently met with AMX and renegotiated an additional contract clause in which the City will receive a full refund of all contract monies expended for up to four years following implementation if changes in company ownership result in the product no longer being supported. Ms. Cramer noted a correction to some of the written materials about the project. The vendor's errors and omissions insurance for the project covers \$2 million per occurrence and \$5 million aggregate. In reference to a previous question on retainage, Ms. Cramer said after the contract is signed, the City will pay a percentage-based lump sum for contract software licenses followed by additional service fees at specific performance milestones.

Responding to Mr. Lee, Ms. Cramer said there are many firms that support JD Edwards' software. JD Edwards currently has more than 7,000 customers.

Mr. Degginger thanked staff for their work to negotiate the additional contract language protecting the City's investment.

Ms. Cramer noted Council action is requested on June 30 regarding the proposed resolution to authorize a system purchase agreement with AMX and the proposed ordinance to add four full-time employees as outlined in the staffing plan previously discussed with Council.

(e) Solid Waste Contract

Mr. Sarkozy noted that the City's solid waste collection contract expires in March 2004. Two vendors have responded to the request for proposals.

Utilities Director Lloyd Warren posed two questions for Council: 1) What service package does the City want to provide for its solid waste customers? and 2) How should the City proceed? He thanked City staff and the Environmental Services Commission for their work on this issue during the past year. Bellevue is in the 10th year of its current solid waste contract.

Damon Diessner, Utilities Assistant Director, said the new contract will include core services and new services. Staff would like to be able to award the contract by August 4 if possible, or mid-September as an alternative. Proposed core services include single-family garbage, yard waste, and commingled recycling; multifamily garbage and commingled recycling; commercial garbage; a litter program; customer billing; and emergency services. The City has received two proposals representing annual savings of \$2 million to \$2.7 million.

Diane Pottinger, Environmental Services Commission Chair, reviewed the Commission's recommendations for new services as follows: 1) a more aggressive emphasis on commercial recycling, including the bundled service option, 2) weekly single-family yard waste collection, 3) weekly single-family food waste option, and 4) City maintenance (organics and solid waste) disposal. Ms. Pottinger noted that City maintenance disposal is currently conducted through four separate contracts. However, combining the services into one contract would reduce costs.

Two services not recommended by the Commission are quarterly curbside, single-family bulky waste pickup and sports field recycling and garbage container servicing. Ms. Pottinger said the Parks Department is currently working to establish an interlocal agreement with Bellevue School District for sports field recycling and garbage services. She noted both bids (Rabanco, \$16.19 million and Waste Management, \$15.74 million) are under the 2003 estimate for contract services of \$18.34 million per year. Ms. Pottinger said the Commission recommends proceeding to solicit best and final offers from each vendor.

Responding to Councilmember Creighton, Mr. Diessner said with the commercial bundled service option, costs are spread across the entire rate base. Compared to the opt-in/opt-out approach, the bundled service option has resulted in the highest recycling rates and lowest overall costs in other communities. Mayor Marshall noted that bundled service results in the lowest average cost per customer and the highest tonnage diverted to recycling.

Responding to Mr. Degginger, Mr. Diessner said containers for food waste collection in other jurisdictions have worked well in terms of mitigating health risks and animal tampering.

Responding to Mr. Lee, Mr. Diessner explained that the City and the vendor will be involved in efforts to educate residents about new containers and services.

Mr. Diessner recalled the vendors' comments during Oral Communications. He feels both vendors are opposed to the recommendation to request a best and final offer from them and would prefer that Councilmembers make a decision based on the information before them. Responding to Mr. Lee, Mr. Diessner said the idea of soliciting best and final offers was raised at the last Environmental Services Commission meeting. Dr. Davidson, liaison to the Commission, feels the process has been fair.

Mayor Marshall requested Council feedback on the four new services recommended by the Environmental Services Commission.

- ➡ Mr. Noble moved to include the four recommended new services in the new contract, in addition to the core services. Mr. Mosher seconded the motion.

Responding to Mr. Degginger, Mr. Diessner clarified that the food waste service would be a customer option. Mr. Lee supports the food waste service option. Dr. Davidson noted that food waste in garbage does not cause significant problems in terms of animal tampering.

Mr. Creighton feels that weekly yard waste pickup is unnecessary, at least for six months of the year, and it results in added costs for everyone.

- ➡ The motion to include the four recommended new services in the new contract, in addition to the core services, carried by a vote of 6-1, with Mr. Creighton dissenting.

Mayor Marshall requested Council discussion of how to proceed in terms of selecting a vendor. Dr. Davidson is opposed to a decision based solely on cost. He encouraged approval of option 4 to request a best and final offer from each vendor and return for Council's decision on a vendor.

Mr. Noble noted that Waste Management has already indicated its proposal is the company's best and final offer. He acknowledged that the ratings of each vendor are somewhat subjective and the primary difference appears to be cost. Single-family residential costs favor Rabanco over Waste Management. However, the total cost difference between the two packages is less than three percent. Mr. Noble feels Waste Management is in a difficult position competing with a long-term contractor with which residents and the City are happy. He is leaning toward directing staff to negotiate the best contract terms with Rabanco.

Mr. Mosher and Mr. Degginger concurred with Dr. Davidson's recommendation for option 4. Mr. Lee expressed support for option 3 to request a best and final offer from each proponent and to offer the low proponent the first opportunity to reach contract agreement. He feels both contractors can provide the high-quality services desired by the City.

Mayor Marshall concurred with Mr. Noble's position, reiterating her concern that the decision should not be based on price. She noted that both vendors have provided competitive bids. Mrs. Marshall reviewed Rabanco's long history of service to Bellevue residents as well as its willingness to continue providing services at a cost that is \$2 million less annually than the current contract. Rabanco's offices and truck facilities have been located in Bellevue since the early 1950s, and Rabanco drivers average more than 16 years of service. Rabanco is active in sponsoring community events and supports programs in multiple City departments. Mrs. Marshall recalled that two years ago when Council was discussing the possibility of a neighborhood cleanup event, Rabanco phoned during the Council meeting and offered to donate garbage pickup in the Lake Hills neighborhood, which ultimately totaled 24 tons of garbage collected in one day. Mayor Marshall expressed support for option 1 to initiate negotiations with Rabanco.

- Mr. Noble moved to direct staff to initiate negotiations with Rabanco, and Mrs. Marshall seconded the motion.

Mr. Creighton acknowledged that the RFP (request for proposals) process is frustrating for vendors because of the time and effort expended to develop a proposal. He expressed support for Option 4.

- As a substitute motion, Mr. Mosher moved to direct staff to request a best and final offer from each vendor and return for Council direction regarding which vendor should receive the first opportunity to reach contract agreement. Mr. Lee seconded the motion.

Dr. Davidson expressed support for the motion in the interest of providing the opportunity for both vendors to present their final proposals.

- The substitute motion to direct staff to request a best and final offer from each vendor and return for Council direction regarding which vendor should receive the first opportunity to reach contract agreement carried by a vote of 5-2, with Mayor Marshall and Mr. Noble dissenting.

Mayor Marshall thanked Chair Pottinger and Environmental Services Commission members for their review of this issue.

At 9:16 p.m., Mayor Marshall declared a break. The meeting resumed at 9:24 p.m.

(f) Regional Issues

Diane Carlson, Director of Intergovernmental Relations, opened discussion of the solid waste interest statement adopted in 1998 in the context of current policy issues.

Mr. Diessner reviewed key elements of the new King County Solid Waste Business Plan. Based on an assumption that the Cedar Hills Landfill is not owned by the Solid Waste Division, King County will begin to charge the Division \$7 million annually for rent beginning in 2004. The Division owes back rent as well, so payments will continue for 10 to 15 years after the landfill closes in 2012. The proceeds are earmarked for human services funding. The business plan includes proposals to reduce program hours, services, and staffing. The third major element is a plan to develop a regional intermodal facility for solid waste handling. According to the County, such a facility could broaden access to a number of remote landfills and ensure competitive pricing.

Mr. Diessner suggested revising Bellevue's interest statement to address the intermodal facility and related labor issues, landfill rent payments, service reductions and/or closing of the Houghton transfer facility, and possible amendments to the current Solid Waste Interlocal Agreement with King County and/or Bellevue's Comprehensive Plan.

Mayor Marshall noted Council's desire to update its 1998 solid waste interest statement and to exercise the opener clause in the Solid Waste Interlocal Agreement to allow for potential review

and/or renegotiation of that agreement and potentially the City's Comprehensive Plan. Council is interested in exploring collaboration with other cities to synchronize opener dates for the interlocal agreements and to discuss key Interlocal Agreement and Comprehensive Plan provisions.

Mr. Mosher feels this is a matter of great concern to the Council in light of the numerous changes taking place over a short period of time. He supports collaboration with other cities to develop options.

Mayor Marshall questioned whether Councilmembers are interested in exploring privatization as an option. Deputy Mayor Degginger feels a wide range of options should be considered.

Dr. Davidson said it is outrageous that citizens are paying garbage rates to subsidize King County's General Fund. He expressed concern that King County's actions are inconsistent with Interlocal Agreements already in place with cities including Bellevue.

Mr. Lee is in favor of reopening negotiations of the City's Interlocal Agreement with King County and exploring privatization as an option. Mr. Mosher questioned the County's legal ability to unilaterally change the terms of an agreement that is already in place.

Mr. Creighton concurred with Dr. Davidson's position and expressed support for staff's recommendations.

Mr. Sarkozy reflected that apparently some County officials feel it is appropriate to redirect Solid Waste Division monies, paid by citizens, to human services funding. He suggested that Council can provide leadership on this issue and requested a clarification of Council's position.

Mayor Marshall noted Council's longtime support of human services funding and the County's responsibility in this area. However, Council is outraged that the County is proposing an inappropriate reallocation of solid waste revenues to the General Fund. Solid Waste Division revenues should instead be saved for future infrastructure capital investments related to solid waste services and programs. She noted the landfill was given to the County by the State Department of Ecology and therefore citizens paid for it once. Now the County is proposing to charge citizens rent for a facility already bought by taxpayers.

Mayor Marshall requested all available information on the County's proposal to reduce or eliminate services at the Houghton transfer station because such an action would have a direct impact on volumes processed at the Factoria transfer station.

Mr. Lee emphasized Council's support of human services and noted that the City has dedicated funding sources for human services. It is improper, however, to redirect utility funds for human services purposes.

Responding to Mayor Marshall, Councilmembers expressed support to explore privatization as an option.

Moving on, Ms. Carlson referred to page 23 of the Regional Issues packet regarding the Growth Management Planning Council, which recommends Countywide Planning Policies (CPPs) to jurisdictions in King County. The recommendations are first sent to the King County Council and if approved, are forwarded to cities for ratification. Ms. Carlson requested Council direction regarding seven current CPP proposals. Mayor Marshall indicated Council support for the proposed policies.

Ms. Carlson referenced page 90 and provided an update on the ongoing district/municipal court issue. A recent letter from King County Executive Sims indicates a willingness to negotiate a court agreement if cities would agree to temporarily waive arbitration rights. The proposal has been discussed by all contract cities. Staff of affected cities recommend that City Councils consider a temporary waiving of arbitration rights from July 1 through September 16, 2003, to allow time to determine whether a contract can be negotiated. Ms. Carlson requested Council direction regarding a proposed letter to Executive Sims from the City Manager.

- ➡ Deputy Mayor Degginger moved to authorize the City Manager to sign and send the proposed letter which will: 1) temporarily waive statutory arbitration rights, 2) allow the City Manager to negotiate an agreement with King County for court services, and 3) notify the County of the City's intent to form a municipal court and extend the current contract to allow a possible transition agreement. Mr. Mosher seconded the motion.
- ➡ The motion to authorize the City Manager to sign and send the proposed letter which will: 1) temporarily waive statutory arbitration rights, 2) allow the City Manager to negotiate an agreement with King County for court services, and 3) notify the County of the City's intent to form a municipal court and extend the current contract to allow a possible transition agreement, carried by a vote of 7-0.

Responding to Mr. Lee, Ms. Carlson said District Court judges have been active in working with the cities, County Councilmembers, and the County Executive to establish a workable solution. Mr. Lee asked to be updated on these ongoing discussions.

Turning to page 93, Ms. Carlson said the Regional Transportation Investment District (RTID) recently established by the state legislature provides a new means for funding large regional projects in King, Snohomish, and Pierce Counties. King County Councilmembers participating in discussions with the Eastside Transportation Partnership (ETP) have requested input from cities regarding priorities for the three key transportation corridors.

Mr. Noble explained that Snohomish and Pierce Counties have decided to reduce previously proposed sales tax rates for RTID funding. As a result, King County is in a position to either also reduce RTID sales tax rates or convince the other two counties to maintain the rate previously discussed. Mr. Noble noted that improvements to I-405 are progressing well while regional planning for SR 520 continues to move slowly.

Mayor Marshall indicated continued Council support for improvements to I-405, I-90, and SR 520, prioritized in that order. She noted the ongoing participation of Bellevue Councilmembers in SR 520 planning and hopes the efforts will lead to the implementation of projects.

- ➡ Mr. Degginger moved to extend the meeting to 10:30 p.m., and Mr. Creighton seconded the motion.
- ➡ The motion to extend the meeting carried by a vote of 7-0.

Moving to the state legislative update, Ms. Carlson highlighted that the City received funding for three projects in the Capital Budget Bill: McTavish property/open space, Crossroads Community Center, and Eastside Heritage Center (Historic Paxton/McDowell property). She thanked State Representatives Judy Clibborn, Ross Hunter, and Fred Jarrett for their support of this legislation.

Ms. Carlson said the City recently received a letter from Seattle Mayor Greg Nickels asking cities to adopt resolutions in support of retaining Boeing's 7E7 production in this region. Council directed staff to draft a resolution of support.

(g) Land Use Code Amendment on Essential Public Facilities

Kate Berens, Legal Planner, discussed a proposed ordinance to amend the Bellevue Land Use Code to include regulations for essential public facilities, including solid waste handling facilities. She requested Council action to amend the Land Use Code to implement a Comprehensive Plan amendment adopted in August 2002 establishing a conditional use permit review process for essential public facilities not otherwise regulated in the Land Use Code. The regulations adopt the Growth Management Act definition for essential public facilities, allows them as a conditional use in all land use districts, imposes submittal requirements including consideration of regional impacts and regional siting efforts, and provides design standards.

Ms. Berens explained that the Planning Commission identified the need to address solid waste handling facilities along with other essential public facilities. The recommended amendments add solid waste facilities as a conditional use in the Light Industrial (LI) land use district and add essential public facilities as conditional uses in every land use district. Council action is tentatively scheduled for July 7.

Deputy Mayor Degginger noted his suggested amendment to the essential public facilities Land Use Code ordinance as provided in Council's desk packet. The purpose of the amendment is to add submittal requirements to document the regional implications for existing facilities and the study of alternative sites in the case of a proposal to close or modify a facility in one jurisdiction.

- ➡ Mr. Degginger moved to amend Section 3 of the proposed essential public facilities ordinance to add a new Section 20.20.820 to the Bellevue Land Use Code as outlined in the desk packet handout. Mr. Mosher seconded the motion.

Responding to Mr. Lee, Ms. Berens said the new regulations would affect existing facilities only if and when an application is submitted to modify the facility.

- ➡ The motion to amend Section 3 of the proposed essential public facilities ordinance to add a new Section 20.20.820 to the Bellevue Land Use Code, as outlined in the desk packet handout, carried by a vote of 7-0.

(h) 2003 Clearing and Grading Code Amendment

Ms. Berens explained that proposed amendments to the Clearing and Grading Code, Chapter 23.76 of the Bellevue City Code, fall into four categories: administrative changes, code conflict resolutions, building site clearing at plat approval, and expansion of rainy season restrictions to additional basins.

Ms. Berens said the substantive change implements a recommendation of the Construction Code Advisory Committee and allows individual lot clearing at the time of plat or short plat approval. Current regulations allow clearing only for the installation of required infrastructure, and lot clearing is not allowed until a building permit is submitted for a particular lot. The CCAC recommends this amendment to allow more efficient clearing and grading of a plat or short plat and to decrease construction costs and traffic associated with hauling dirt. The amendments provides guidelines for the types of situations in which this would be allowed. The Director of Planning and Community Development has the authority to impose conditions associated with approval. The amendment restricts lot clearing at plat approval in protected areas, areas draining directly to a lake or stream, and during the rainy season.

Ms. Berens said Council action on the amendments is scheduled for July 7. She noted the memo in the Council packet (Page 3-68) from the Environmental Services Commission supporting the proposed amendments.

Deputy Mayor Degginger said the Construction Code Advisory Committee began discussing amendments to the Clearing and Grading Code approximately two years ago. He explained the current situation in which earth-moving equipment is utilized in plats or short plats adjacent to occupied homes that have been completed. He feels the amendment will enhance safety, streamline development, and mitigate the interruptions caused by such earth-moving activities.

Responding to Mayor Marshall, Council indicated support for the proposed amendments.

4. Discussion of Upcoming Items

- (a) Application of T-Mobile (formerly VoiceStream) requesting conditional use approval to replace a 68-foot transmission pole with a 90-foot pole topped by three T-Mobile antennas collocated above existing AT&T antenna at the power substation near the corner of 156th Avenue and SE 16th Street. File No. 01-119261.

Ms. Berens noted the Process III application of T-Mobile for conditional use approval to replace a 68-foot transmission pole with a 90-foot pole topped by three antennas. The East Bellevue Community Council will have final action on approval of the application. The Hearing Examiner originally recommended denial of the conditional use permit. An appeal before City Council resulted in a remand to the Hearing Examiner based on new evidence presented. The Hearing Examiner then modified his decision to recommend approval of the application. Council action is scheduled for July 7.

Mayor Marshall noted that the original appellant in the matter withdrew his appeal. Three interested parties did not participate further in the process.

Councilmember Lee commended staff for publishing a transportation flyer in both English and Chinese.

At 10:15 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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